
Absent: J. Finch and ZEO R. Cooper


Also: C. Branson, Commission Clerk

Call to Order: Chair, J. Burruso Called the Meeting to Order at 7:02 pm

Alternate J. Seigel was Elevated to voting status in the absence of Commissioner J. Finch

Public Hearing I:

CONTINUATION OF SPECIAL PERMIT APPLICATION- Crooked Furrows Lane (M- 24, L- 11 )
NAROMI Land Trust, Brookland Preserve- to allow a 20’ x 60’ designated parking area, an access gate, sign and kiosk in accordance with Section 324.1 e Accessory Uses to Conservation Organizations as shown on submitted map entitled "Property Survey, prepared for NAROMI Land Trust, Dated October 30, 2017. Zone A

Chair J. Burruso opened the continuation of the Public Hearing. M. Lee read into record the Legal Warning, which was published in the Town Tribune on May 24, and again on May 31, 2018. Chair Burruso informed the Public that the Commission conducted a site walk on this property on June 19, 2018 at 6:00pm to view the area for proposed parking spaces, kiosk and gate. Two pieces of correspondence were received. The first was from Weantinoge Heritage Land Trust, dated February 27, 2018 received on July 5, 2018, in favor of the application. The second correspondence was from Sherman Resident, John Foley writing in favor of the application, dated July 2, 2018. Both pieces of correspondence were received tonight at the continuation of the Public Hearing. Introduced as new information and read into record was additional research information provided by the Zoning Enforcement Officer, R. Cooper as was requested by the Commission and applicant at the June 7, 2018 opening of the Public Hearing. Mr. Cooper provided copies of Minutes and property deeds giving the history of this shared right of way, as well as a marked up map illustrating the different property lines and Conservation easement area. This information has been marked and dated and now been made part of the application file. M. Josephson spoke on behalf of NAROMI stating there was no conservation easement ever filed, it is shown on the map because the surveyor suggested putting it there. Chair Burruso stated more research would be required to determine the validity of the conservation easement shown on the map. Mrs. Burruso stated the Commission would like to seek legal counsel to clarify any ramifications involved by placing a gate at the entrance of a shared right of way and parking in a possible conservation easement area. Mr. Hudson provided a marked up map showing two red circles at the trail head and images of three cars parked diagonally at the proposed parking area to demonstrate the impact of a turnaround of 100’ in diameter at the end of Crooked Furrows Road. Commissioner P. Voorhees provided a different marked up map with a turnaround 50’ in diameter sketched in red and list of five possible "conditions" to be proposed. Both of these marked up maps have been dated and have become part of the information received at this continuation of the Public Hearing. Chair, J. Burruso read into record from the Sherman Zoning Regulations, Subdivision Regulations, Section 4: Roads- item 16- No dead end access way shall be constructed unless a turnaround approved by the Board of Selectmen is provided within a right of way of not less 100 feet in diameter. The construction of all dead-end access ways shall conform in every detail to all provisions of this section that apply to through streets and roadways. Chair Burruso requested consent of the applicant, A. Branson , Executive Director of NAROMI to allow an extension of the Continuation of the Public Hearing. The Commission Clerk provided a form for Ms. Branson to fill and sign. Ms. Branson signed the form consenting to an additional 28 days for the continuation of the Public Hearing to August 2nd, 2018 to take place at Mallory Town Hall beginning at 7:00 pm.
Old Business:

**DELIBERATION OF SPECIAL PERMIT APPLICATION**- Crooked Furrows Lane (M- 24, L- 11)
NAROMI Land Trust, Brookland Preserve

No action took place, this Public Hearing shall be continued to the August 2nd, 2018 Regular Monthly Meeting beginning at 7:00pm at Mallory Town Hall.

New Business:

**AMENDMENT TO AN EXISTING SPECIAL PERMIT APPLICATION**- Town of Sherman, 2 Taber Road, aka Happy Acres Farm, (M-26, L- 4): Applicant: Transcend Wireless. Requesting modification of an existing Special Permit in reference to Zoning Regulations, Section 356.3 b- Telecommunications Sites; to allow installation of a 26.5" dish on the Northwestern facing side of the existing silo as shown in the exact location on submitted plans entitled, "Site Number: CTFF781B, 2 Taber Road, Sherman, CT 06784, Fairfield County. " Last Revision 5-30-2018. Prepared by: Hudson Design Group, LLC. Zone A

Chair J. Burruano reviewed the application file for an Amendment to a Special Permit to modify equipment on an existing structure (silo). A letter from First Selectman D. Lowe was received earlier in the day and read into record urging the Commission to expedite the application without a Public Hearing due to the minimal equipment changes. Kyle Richers, of Transcend Wireless was present to speak on behalf of the application. The Commission reviewed the site plans entitled "Site Number: CTFF781B, 2 Taber Road, Sherman, CT 06784, Fairfield County." Last Revision 5-30-2018. Prepared by: Hudson Design Group, LLC, that was submitted with the application. The Commission verified the positioning of the proposed 26.4 inch dish which shall be placed on the Northwestern side of the silo. Mr. Richers agreed the dish will be painted to match the color of the silo. The Commission agreed that the proposed change of equipment does not substantively affect the appearance of the silo and shall not require a Public Hearing. From the audience, G. Maletz spoke on behalf of the Sherman Telecommunications Committee encouraging the Commission’s expedited approval of this application without the requirement of a Public Hearing.

**J. Siegel Moved to Approve** the Amendment to the Existing Special Permit and waive the Public Hearing for Town of Sherman, 2 Taber Road, aka Happy Acres Farm, (M-26, L- 4): Applicant: Transcend Wireless. Granting modification of an existing Special Permit in reference to Zoning Regulations, Section 356.3 b- Telecommunications Sites; to allow installation of a 26.5" dish on the Northwestern facing side of the existing silo and shall be painted to match the existing silo, as shown in the exact location on submitted plans entitled, "Site Number: CTFF781B, 2 Taber Road, Sherman, CT 06784, Fairfield County. " Last Revision 5-30-2018. Prepared by: Hudson Design Group, LLC. Zone A

**Seconded by:** R. Lenihan

**Vote:** For: Unanimous

Public Comment: None

Approval of Minutes: Regular Monthly Meeting of June 7, 2018

**N. Volkmar Moved to Approve** the Minutes of June 7, 2018 Regular Monthly Meeting as written.

**Seconded by:** M. Lee

**Vote:** For: Unanimous

Correspondence:

**National Business Institute**- Practical Guide to Zoning and Land Use Law Seminar- September 13, 2018 in East Hartford, CT.

**M. McNichol**- to ZEO R. Cooper and cc'd to Commission Members letter sharing concern for a neighbor's new accessory structure believed to be too close to their shared property line.

**Zoning Enforcement Officer’s Report:** No report submitted this month.

Committee Reports: None submitted.
Chairman Report:

Chair, J. Burruano reported that the workshop with Land Use Atty. M. Zizka was very well received and informative for all of the Boards that attended. Mrs. Burruano shared the plan that was submitted at the Board of Selectmen’s meeting showing the proposed improvements to the "Green”. The Commission discussed traffic flow in and out of the area as well as the proposed increased percentage of structural cover.

Regulation Review:

The Commission discussed potential amendments to the following Zoning Regulations shown in bold and highlighted in the Motion below:

**N. Volkmar Moved** to Amend the following Sherman Zoning Regulations, last revised on February 10, 2018 as shown below and bring to a Public Hearing on September 6th, 2018 at Mallory Town Hall beginning at 7:00 pm.

**Seconded by:** M. Lee  **Vote: For: Unanimous**

**AMEND SECTION 331.** Zone A - Farm-Residence Zone

**AMEND SECTION 331.1** Permitted Principal Uses:

*k.* Energy efficient designed dwellings which, due to their unique nature, may not be able to meet the Zoning Regulations as to height, size, setback, or ground floor area, and still maintain their energy efficiency, will be considered for a Special Permit.

**AMEND SECTION 331.2** Permitted Accessory Uses:

*j.* Energy efficient designed structures, which due to their unique nature, may not be able to meet the Zoning Regulations as to height, size, setback, or ground floor area, and still maintain their energy efficiency as specified in the design specifications for the structure or dwelling, may be allowed by a Special Permit in accordance with Section 340.

**AMEND SECTION 332.** Zone B - Residence Zone

**AMEND SECTION 332.1** Permitted Principal Uses:

*e.* Energy efficient designed dwellings, which due to their unique nature, may not be able to meet the Zoning Regulations as to height, size, setback, or ground floor area, and still maintain their energy efficiency, will be considered for a Special Permit.

**AMEND SECTION 332.2** Permitted Accessory Uses:

*i.* Energy efficient designed structures, which due to their unique nature, may not be able to meet the zoning regulations as to height, size, setback, or ground floor area, and still maintain their energy efficiency as specified in the design specifications for the structure or dwelling, may be allowed by a Special Permit in accordance with Section 340.

**AMEND SECTION 333.** Zone C - Business and Residence Zone

**AMEND SECTION 333.1** Permitted Principal Uses:

*m.* Energy efficient designed dwellings which, due to their unique nature, may not be able to meet the Zoning Regulations as to height, size, setback, or ground floor area, and still maintain their energy efficiency, will be considered for a Special Permit.

**AMEND SECTION 333.2** Permitted Accessory Uses:

*j.* Energy efficient designed structures, which due to their unique nature, may not be able to meet the Zoning Regulations as to height, size, setback, or ground floor area, and still maintain their energy efficiency as specified in the design specifications for the structure or dwelling, may be allowed by a Special Permit in accordance with Section 340.

**AMEND SECTION 610.** DEFINITIONS:

**ADD** Energy Efficient Designed Dwellings: Dwellings which have been designed to harness wind, sun, and/ or geothermal heat sources to provide primary or supplemental energy to such dwelling.

**ADD** Energy Efficient Structures: Wind-powered generators, solar panel arrays, geo-thermal wells and pumps, and other structures which are designed and used to provide primary or supplemental energy as an accessory to a permitted principal use: does not include energy production facilities as a principal use.
Adjournment:

N. Volkmar Moved to Adjourn the Meeting 9:02 pm.

Respectfully submitted by:

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Christine Branson
July 12, 2018